

MINNESOTA ENVIRONMENTAL QUALITY BOARD

NOTICE OF PUBLIC HEARING

**May 3, 2004
City Hall
208 1st Ave.
Faribault, Minnesota**

**Route Permit Application
By Faribault Energy Park, LLC
For Double Circuit Proposed 115 Kilovolt
High Voltage Transmission Lines
In Rice County, Minnesota**

EQB Docket No. 04-79-TR-FEP HVTL

PLEASE TAKE NOTICE that the Minnesota Environmental Quality Board (EQB) will hold a Public Hearing on an application by Faribault Energy Park, LLC for a Route Permit to construct two parallel 115 kilovolt transmission lines from the proposed FEP power generating plant to an existing transmission line approximately 400 feet away. The public hearing will be held on Monday, May 3, 2004, at the City Council Chambers, City Hall in Faribault, Minnesota. The hearing will convene at 2:00 p.m. Mr. Alan Mitchell of the EQB staff will preside as the hearing examiner.

Description of Project. Faribault Energy Park, LLC has proposed to construct and operate a new dual-fuel, combined-cycle electric generating facility capable of producing 250 megawatts (MW) at a site within the city limits of Faribault. In association with the construction of the power plant, FEP has applied to the EQB to construct a double circuit high voltage transmission lines (HVTL) from the proposed power plant to Xcel Energy's existing Lake Marion – West Faribault 115 kilovolt line. The length of the HVTLs will be approximately 400 feet and will be completely located on the grounds of the proposed power plant.

The power plant is to be located approximately 2.5 miles north of downtown Faribault, on the west side of Highway 76 and south of 170th Street West, in central Rice County, Minnesota. The parcel has been annexed by the city of Faribault and is currently zoned industrial. The site and surrounding area contain a significant amount of utility-related features including a natural gas pipeline easement, a petroleum product pipeline easement, and an electric transmission line corridor. The area surrounding the site primarily contains agricultural land and a few farmsteads.

Statutory Authority. Under the Power Plant Siting Act (Minnesota Statutes, Sections 116C.51-.697) a route permit from the EQB is required to construct a high voltage transmission line (HVTL). A HVTL is a conductor of electric energy and associated facilities designed for and capable of operating at a nominal voltage of 100 kilovolts or more. The EQB has adopted rules for the administration of power plant site permits (Minnesota Rules Chapter 4400). The EQB rules establish the requirements for submitting and processing a permit application.

Environmental Assessment. As part of the permitting process, the EQB prepares an Environmental Assessment (EA) on the project. On March 22, 2004, a public meeting was held by the EQB staff at the Faribault City Hall to discuss the project with interested persons and to solicit input into the scope of an Environmental Assessment to be prepared on the project. The Environmental Assessment was completed by EQB staff on May 1, 2004, and is available on the EQB webpage cited below.

Hearing Examiner. Mr. Alan Mitchell will preside at the hearing as the hearing examiner. The hearing examiner's role is to conduct the hearing and compile a record for the Environmental Quality Board to consider in reaching a final decision on the permit. The hearing examiner does not write a report and does not make a recommendation to the EQB Board. Mr. Mitchell's address is Minnesota Environmental Quality Board, 300 Centennial Bldg., 658 Cedar St., St. Paul, MN 55155, phone number (651) 296-3714.

EQB Project Manager. Bill Storm of the EQB Power Plant Siting staff is the project manager. Mr. Storm can be reached at the EQB offices in St. Paul, tel: (651) 296-2871, fax: 651-296-9535, e-mail: bill.storm@state.mn.us.

Public Advisor. The public advisor for this project is Larry Hartman of the EQB Power Plant Siting staff. Mr. Hartman can be reached at the EQB offices in St. Paul, tel. (612) 296-9535, e-mail: larry.hartman@state.mn.us. Mr. Hartman can be contacted with questions about the procedure being followed in this matter.

Hearing Procedure. This proceeding is being conducted under the alternative review procedures of Minnesota Statutes section 116C.575 and Minnesota Rules parts 4400.2000 to 4400.2900. This public hearing is less formal than the contested case hearings conducted by the Office of Administrative Hearings. By way of example, the procedures to be followed here do not require formal intervention by parties, or a prehearing conference, or prefilings of written testimony.

The purpose of the public hearing is to compile the record for the Minnesota Environmental Quality Board to consider in making a final decision on the permit request. The EQB staff will attend the hearing and make a brief presentation about the project and introduce into the record a number of documents relating to the project, including the application, the Environmental Assessment, and certain procedural documents. Representatives of the applicant (Faribault Energy Park) will be present to offer evidence and to answer questions. Members of the public will have an opportunity to ask questions of EQB staff and FEP representatives, to make statements, and to offer written comments and material into the record.

The record will remain open until May 13, 2004, at 4:00 p.m. to provide interested persons an opportunity to submit written comments to the hearing examiner. Upon closure of the public comment period, the hearing examiner will compile the record and transmit it to the Minnesota Environmental Quality Board. The EQB will make a final decision on the permit at the May 20, 2004, Board meeting.

Project Information. Additional information on this project, including the application and the environmental assessment and the EQB's interim guidance, are available on the EQB's web page at:

<http://www.eqb.state.mn.us/EnergyFacilities/index.html>